

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)
)
or Suspension of the Educator)
)
Certificate of Steven M. Nelson)
)
Certificate # 103198)

ORDER OF REVOCATION

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on November 12, 2003. On October 2, 2003, the State Department of Education (Department) sent Mr. Steven M. Nelson notice of a hearing concerning the possible suspension or revocation of his South Carolina educator certificate # 103198 (certificate) to him by certified mail, return receipt requested delivery restricted to addressee. Mr. Nelson received the notice as evidenced by a postal receipt bearing his signature. Mr. Nelson did not request a hearing within the time period required by law, and is now in default. After considering the evidence presented by the Department the State Board voted to revoke Mr. Nelson's certificate.

Mr. Nelson is an educator with over twenty-nine years of experience and primarily taught in the Hanahan Community in the Berkeley County School District (District). He resigned on September 3, 2003, following his arrest for on numerous charges involving marijuana. On August 28, 2003, the Berkeley County Sheriff's Office was notified that Mr. Nelson was growing marijuana plants in his back yard and that they were visible from a neighbor's residence. Officers obtained a search warrant for Mr. Nelson's residence and obtained fifteen marijuana plants approximately four to five feet tall growing in his back yard. Officers also retrieved approximately 143.0 grams of marijuana and marijuana roaches from the inside of his residence. In addition, a marijuana stalk was found in the front seat of his pickup truck. Mr. Nelson was charged with manufacturing marijuana, possession with intent to distribute marijuana, and possession with intent to distribute marijuana within one half mile of a school (Hanahan High School). Mr. Nelson was in jail over the Labor Day weekend and upon his release, he submitted his resignation to the District. The Sheriff's Department contacted Superintendent Floyd just prior to Mr. Nelson's arrest.

There were no discipline memos in his file. Mr. Nelson was a successful basketball coach for several years.

CONCLUSIONS OF LAW

"The State Board of Education may, for just cause, either revoke or suspend the certificate of any person." Just cause includes: "unprofessional conduct." S.C. Code Ann. § 59-25-160 (1990); 24 S.C. Code Ann. Regulation 43-58 (1992). The State Board finds that the preponderance of the evidence presented supports its decision to revoke Mr. Nelson's certificate. Accordingly, the Board hereby revokes Mr. Nelson's certificate # 103198, effective this day.

South Carolina State Board of Education

/S/ Greg Killian

Greg Killian, Chair

Columbia, South Carolina

November 12, 2003